

THE UNITED STATES DISTRICT COURT  
THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BRYCE L. SPANGLER,

Plaintiff,

vs.

CHARLIE WEND, et. al.,

Defendants.

NO. C12-1196-RAJ-JPD

DECLARATION OF BRIAN SCHRADER  
IN SUPPORT OF MOTION FOR  
SUMMARY JUDGMENT

BRIAN SCHRADER declares:

I am over the age of 18 years and competent to testify regarding the matters asserted herein. I work for the Skagit County Sheriff in the Skagit County Jail. I have been here for twenty-one years. I have been a sergeant since November, 2005. I am familiar with jail policies and procedures and, as a sergeant, am responsible for safety and security in the jail.

I make the following declaration based upon my own personal knowledge:

As a sergeant, I usually work in the booking area. I would attempt to make a round through the jail's housing areas at least once a week.

I was familiar with Inmate Spangler. During his several detentions in 2010 through 2012, I talked to him a lot. Inmate Spangler never complained to me about cleanliness or

1 sanitation problems, including toilet failures, in any of the pods or cells. Nor did he ever  
2 complain to me about being unable to sleep. One of the things I tried to determine was why he  
3 was continually resorting to violence. Inmate Spangler never gave me a clear answer.

4 At some point during each shift, I would read through the Jail Log, a computerized  
5 record of incidents that took place in the jail, to get up to speed on what was going on in the  
6 jail during other shifts. From this I observed that the level of Inmate Spangler's violent  
7 behavior began escalating in 2012.

8 I attributed this to several things.

9 First, he began to represent himself, a task he was not competent to handle, in  
10 November 2011.

11 Second, Inmate Spangler was released on his personal recognizance on November 18,  
12 2011. He failed to appear for a hearing and was arrested on a felony warrant on January 10,  
13 2012. Six days later, Inmate Spangler complained about needing controlled substances because  
14 of his usage of heroin:

15 Spangler started laughing, and started saying something I couldn't  
16 understand. I asked him if he was OK, and he said, "you know that heroin  
17 I brought up my ass, I just ran out and I need Suboxone." I asked  
18 Spangler to repeat himself, and he stated, "I need Suboxone cause I ran  
out of the heroin I brought in."

19 Doc. 20-1 at 129. In mid-2011, Inmate Spangler had been released from jail to attend  
20 inpatient drug treatment in mid-2011, but he escaped from that facility and failed to appear at  
21 the required court hearing. These two failures coupled with his use of illegal drugs appeared  
22 effectively ended the prospect of future releases from jail.

23 Third, Inmate Spangler began using the pen provided for his use as a pro se defendant  
24 to write on his clothing and shoes. Some of the writing indicated extremist thinking: "Protect  
25 our race" and "NWBB". NWBB is the acronym for a Nazi-type organization that is  
26 recognized as a security threat in jail and prison settings. See Jail Log, Doc. 20-1 at 142.

1 Fourth, Inmate Spangler tossed a food service tray, constructed of heavy plastic, at a  
2 deputy who entered C-pod in response to noise making that Inmate Spangler and other inmate  
3 were causing. Doc. 20-1 at 143-44.

4 Fifth, on February 23, 2012, Inmate Spangler threatened jail staff who were trying to  
5 clear books he had placed in the track to his cell door that prevented the door from closing.  
6 Doc. 20-1 at 243 (" 'Open the door and I'll kick both your Bitch asses'. He also said that the  
7 next time the door opened He would knock our asses out.") During the following search of his  
8 cell jail staff found a weapon, a sharpened piece of metal stuck into a pencil. Doc 20-1 at 162.  
9 Later that day, Inmate Spangler challenged a deputy to enter his cell to retrieve extra clothing  
10 where he could "beat [the deputy] up" and "beat the shit" out of the deputy. Doc. 20-1 at 165.

11 Sixth, on February 23, 2012, Inmate Spangler threatened a deputy:

12 "that fat bitch is stupid, I hate that bitch and everytime I am around that  
13 bitch I get a major infraction. I am gonna cut that fat bitches throat."  
14 Deputy Parker said to I/M Spangler "you dont want to say something like  
15 that". I/M Spangler replied with "listen I know myself and iv been in the  
16 hole long enough and I will do something to that bitch if I get the  
17 opportunity."

18 Doc. 20-1 at 166. Inmate Spangler later repeated the threats to a deputy who sought to calm  
19 him down. Doc. 20-1 at 167 ("During our conversation Spangler made comments in reference  
20 to Deputy Jennings about 'Slitting that bitches throat' and 'I can't be held responsible for my  
21 actions'.")

22 Seventh, Inmate Spangler recognized that new jail infractions would not help him  
23 "work out his release from custody," but he could not control himself. Doc. 20-1 at 169. Three  
24 days later, Inmate Spangler threatened staff with a jail-made weapon, a sharp pencil taped to a  
25 tooth brush, after refusing to move to another cell. Doc. 20-1 at 177.

26 Eighth, Inmate Spangler was sanctioned with disciplinary segregation for the incidents  
on February 23 and 28. Because of these and later incidents, which proved to be progressively

1 more violent, Inmate Spangler remained on disciplinary segregation until he was released from  
2 the jail on May 4, 2012.

3 April 2012, proved to be a very difficult time for Inmate Spangler. One of the more  
4 significant events was his suicide attempt on March 30, 2012. He followed this with the  
5 fabrication of a shank and an assault while corrections deputies conducted the search of his cell  
6 that led to the discovery of the weapon. Also, Inmate Spangler finally plead guilty to five  
7 felonies, including jail riot, assault, and felony harassment arising from his actions in the jail.

8 After his plea, on May 2, 2012, and two days before he was scheduled to be sentenced,  
9 Inmate Spangler objected to the searches of his person and property that had been imposed for  
10 jail security reasons. It took four deputies and the use of restraints and a restraint chair to safely  
11 remove Inmate Spangler from his cell so that it could be searched. The corrections deputies  
12 moved Inmate Spangler to Gray 13.

13 After this event, I determined that Inmate Spangler presented a significant risk to jail  
14 staff and possibly to himself. He was placed on a suicide watch.

15 I declare under penalty of perjury under the laws of the State of Washington that the  
16 foregoing is true and correct to the best of my knowledge.

17 Dated this 29 day of April, 2013 at Mount Vernon, Washington.

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21   
22 BRIAN SCHRADER  
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